

## THE DAILY JOURNAL

THURSDAY, JANUARY 24, 1901.

Telephone Calls (Old and New)

Business Office, 238 E. Editorial Rooms, 239

TERMS OF SUBSCRIPTION.

CARRIER-INDIANAPOLIS AND SUBURBS.

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between the friends of Brown and Smith over a police commissionership. The trouble seems to be that factions of excellent citizens are certain that all that is had will take place if one of these men or one of a half dozen others is not selected to fill this position. Are not these citizens taking themselves altogether too seriously about this matter? Is it not possible that a desire to defeat and humiliate the opposite side has something to do with the intensity of this really trivial affair? It is not worth three days of the Governor's time. And this leads to the remark that it would be better to let all the cities control their police.

## A CHEERFUL REPORT.

The report of President Mitchell, of the Mine Workers' convention, is a cheerful document compared with those which have been made from time to time by its predecessors. For years the most important industry of coal-mining, so far as the miners were concerned, had few hopeful features. Wages were low, employment intermittent, and disagreements and strikes were frequent. But an improvement began in 1897, and it has continued ever since. The annual increase of wages secured by miners for the year which will end March 31, 1901, will be \$12,000,000 over the amount received during the preceding year by the miners of bituminous coal, and \$5,000,000 by anthracite miners—an aggregate of \$17,000,000. The increase to bituminous miners has been \$70 per capita. That may not appear a large increase, but considering the number of men employed and the average wages, it becomes a very large increase in percentage.

Ten years ago, when coal miners were the most inadequately paid workers in the country, and strikes and lockouts were frequent, the Journal said that the importance of the coal-producing industry—the basis of the country's industries—should be put upon a basis which would enable those who worked in coal mines to obtain decent wages. It was then suggested that such conditions could be brought about by wise action on the part of employers and employees. The cause of the starvation wages being the sharp competition incident to an over-supply of coal, it was suggested that mine operators agree upon a paying price and maintain it. It has since been said that such an agreement would be a trust or combination to advance prices, and consequently indefensible from any point of view. How far the mine operators have combined cannot be told; but this much is certain: The price of coal has advanced so that mine operators can pay much better wages.

It is understood that the better wages is the result of organization. That organization has done much to bring about the improvement, no one can deny who has acquainted himself with the facts. Still, the improved conditions of the country, in 1896 to the election of Mr. McKinley in 1896 have made organization possible. If the demand for coal had continued the same in 1898, 1899 and 1900 as it was in 1896, the powerful coal miners' organization could not have been built up as it has been the past two years. Under those unfavorable conditions of the market for coal it would have been almost impossible to have obtained an advance of wages. But the general increased demand for coal made conditions favorable, these favorable conditions were recognized by mine operators, and such sagacious leaders as Mitchell were able to press their advantage. Instead of strikes here and there, coal-headed and intelligent delegates have met the mine operators as they did in this city a year ago, discussed the subject and reached an agreement beneficial to both sides. The whole gain for the miners, however, has its foundation in the result of the election of 1896.

## STREET IMPROVEMENTS AND ADJUSTMENTS.

If the street improvement bill, prepared by the Commercial Club, and considered by the House committee on affairs of the city of Indianapolis, was intended to benefit property owners, the intention has been very inadequately carried out. In reality, it would leave property owners in a worse situation than they are now, and that is bad enough. For some years past street improvements in this city have been ordered on the principle of confiscation, or, "If you don't like it, you can turn in your miners." In other words, your property. In many instances, the assessments on property have been more than the property was worth, and the owners would willingly have given a quitclaim deed for the assessment. As far as known the authorities have never expressed any regret for this operation of the law or shown any disposition to aid property owners in avoiding it. The Constitution of the United States provides that no person shall be deprived of property without due process of law, and the Supreme Court of the United States has held that this requires a judicial inquiry as to values and benefits, and that the owner of the property be compensated to its full value over and above benefits.

The amendatory act of 1899 relative to improvements in the city of Indianapolis provided that "No improvement of any street shall be made or ordered which, when completed, is to cost more than 25 per cent. of the aggregate appraised value of the property abutting on each street." The Board of Public Works has construed this as applying only to the ratio between the aggregate cost of the improvement and the aggregate value of all the property abutting thereon, thereby in many instances depriving individual property owners of the protection which it is believed the law of 1899 intended to afford. What is needed is a provision that in no case shall the assessment against any particular piece of property exceed 25 per cent. of its appraised value.

The pending bill should be amended in other respects. The Board of Public Works should not have the final decision on the question of values and benefits. The property owner should have an appeal to the Circuit or Superior Court, and a hearing under "due process of law." Furthermore, in cases where the cost of improvements exceeds, say, 10 per cent. of the value of property, the owner should have personal notice of the proposed improvement and assessment. The present provision in regard to notice to property owners seems to have been framed in the interest of the confiscation policy, and the practice has been accordingly. As far as many property owners are concerned, amending the present law in these respects will come too late, but it is never too late to establish justice. It is

time that the practice of taking private property for street and sewer improvements without due process of law and treating property owners as if they had no rights which a public works board was bound to respect should cease.

## FISH COMMISSIONER'S REPORT.

The report of Z. T. Sweeney, commissioner of fisheries and game for Indiana, for the years 1899 and 1900 shows substantial progress in the direction of protecting the fish and game of the State and developing a public sentiment in favor of judicious legislation on the subject. It has not been many years since a law for the protection of fish and game was considered in this State as a middle-class interference with personal rights; now all reasonable people regard it as necessary for the conservation of one of nature's gifts which no person has a right wantonly to squander or destroy. Such legislation is clearly in the interest of the resident poor man or person of moderate means, as the preservation of fish and game at home makes it possible for them to enjoy pleasures which the rich can easily find by travel.

The commissioner's report shows that while the present law is not what it should be it is a decided advance on any previous legislation, and while it has not been possible to prevent its open violation in some localities many arrests and convictions have been made. In most instances the traveling deputies have been assisted in the enforcement of the law by the local deputies. This shows the steady growth of a sentiment in favor of fish and game protection. During the last two years there were 430 convictions for violations of the law, and the fines resulting therefrom amounted to \$3,400. The commissioner recommends some amendments to the present law which are entitled to weight because of his experience and careful study of the subject. He recommends more stringent legislation in regard to the pollution of streams; a lighter penalty for dynamiting because juries will not convict under the present law; the repeal of the prohibitory clause against hook-and-line fishing in May and June; a modification of the anti-seining provision, and the imposing of a license fee on nonresident sportsmen who come into Indiana to hunt. The Journal believes all of these recommendations are good. It also favors an appropriation of \$10,000 a year for the enforcement of the fish and game laws and for the propagation of fish and birds. Ohio appropriates for this purpose \$25,000 a year; Michigan, \$27,500; Minnesota, \$25,000; Missouri, \$15,000; Illinois, \$10,000; Iowa, \$15,000; Indiana, \$4,800. Indiana should not be content to occupy this position in a matter of so much practical importance.

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## INDIANA STONE FOR THE FEDERAL BUILDING.

The supervising architect of the treasury has asked \$500,000 to the additional appropriation asked for the Indianapolis postoffice in order that granite or marble may be used in its construction. He is quoted as saying that he does not consider Indiana limestone as well suited as either of the other materials for the working out of the plan adopted. Inasmuch as the plans submitted, including the one accepted, are said all to have been based on the understanding that limestone would be used, and as the supervising architect admits that limestone "can" be used, the demand for a more costly material seems entirely unnecessary. The qualities and merits of the Bedford limestone need not be discussed here. The subject was considered from every side before the Statehouse was built, and when the soldiers' monument was planned. Those structures show what the stone is, and no regrets over its use have ever been heard. Its hardness, its durability, its "workable" qualities have been tested thousands of times and with satisfaction to all who have chosen it in place of other materials. It has been used in public buildings—Statehouses, courthouses, postoffices, libraries, churches, etc., and in private business blocks in all the large cities of the country and in nearly every State of the Union. With such a satisfactory and suitable stone at our very doors, why material far more costly, but not proportionately better or more attractive in appearance? It is a federal building, but it is a building in which Indiana has the chief concern and in regard to whose construction Indiana people should have a voice. Undoubtedly, if only as a matter of State pride, the popular expression would be in favor of the Bedford stone, but there would be also the thought that to pass it by would be an injustice to a great and important home industry. Let the new postoffice be built from the Indiana quarries.

A statement has been going the rounds to the effect that from 5 to 20 per cent. of the food eaten by what the author is pleased to call the laboring class is adulterated, and, consequently, unfit for use. No attempt is made to specify the foods in common use which are adulterated. It has been done frequently, but usually by some person who saw at the end of a vista a pure-food commissionership and a bureau. Vegetables cannot be adulterated; breadstuffs and meats cannot be very much adulterated; cheap sugars may be, but the sugars which come from the refineries are regarded as pure; lard is mixed with cotton-seed oil, but the adulteration is not harmful; cheap grades of prepared coffee probably contain ingredients which are not coffee, but which at the same time are not harmful; spices are probably adulterated in some cases, but they cannot be classed as articles of food. It is asserted that articles of food are prepared in Ohio which, under the pure-food laws of that State, cannot be sold there, but are sold here because we have no pure-food commissioner. Who vouches for this statement? If it is true, has not the Board of Health authority to at least warn the people against such brands of goods? There is altogether too much assumption in regard to this whole subject by those who are interested in a large state expenditure to fight adulterated foods.

The bill proposing to abolish the poll tax is one of doubtful expediency, in that it will involve a large number of men from paying a pittance for the support of government, which in this State means the security of person, the advantages of highways and streets and of public schools. The poll tax is confined to men in the prime of life and ceases at the age of fifty. It is based upon the theory that the able-bodied

man owes to all that government means something toward its support. At the same time that this bill is pending, another measure is pending which proposes to compel the taxpayers on property to purchase text-books for all scholars in public schools. The tendency is to place every kind of burden upon the owners of real property. It is unjust.

## FROM HITHER AND YON.

**The Destroyer.**  
Smart Set.  
"I'm afraid poor old Hildard is done for. His locomotor ataxia is too much for him at last."  
"What make of automobile is that?"

**The Last Resort.**  
Brooklyn Life.  
Superintendent—These goods won't sell at eleven cents a yard.  
Dry Goods Man—Mark them up to fourteen and put them on the bargain counter.

**The Effect of Oil.**  
Yonkers Statesman.  
Crismonbank—Did you see Dauber's painting of the ocean?  
Year—Yes.  
Crismonbank—What did you think of it?  
Year—Oh, I thought the water looked too calm.

**Perplexity.**  
Detroit Journal.  
Breathless, she panted in her mad flight. Oh, terribly still it was, here in the forest primeval.  
"I will have my face in you brook!" she cried.  
The audience looked perplexedly on at an actor. For the heroine's face was manifestly of such nature that the remark of hers might be either staid melodrama or Irish dialect.

**Trials of a Career.**  
Baltimore American.  
"In the denunciation scene you must raise your hand to high heaven," said the Stage Manager.  
"But, if I do," protested the Leading Lady, "electric lights will not strike my diamond rings."  
Ah, we petty people who merely pay admission and applaud at the proper intervals, have no idea of the trials of a stage career.

## SITUATION MORE ACUTE

**RAVAGING CREEKS CONTINUE CRUSADE AGAINST SETTLERS.**

**Full-Blooded Indian Killed for Not Joining Them—General Lee Given Authority to Send Troops.**

MUSKOGEE, Jan. 23.—The Creek trouble continues the same as yesterday. The full-bloods are still in arms, harassing the whites and are posting notices threatening lives. Two full-blood members of the Snake party were arrested this afternoon. They were Eastman Polk and Frank Holoka. They were going through the country posting notices. The Snake party sent to Marshal Bennett that if the men arrested were not released in twenty-four hours they would burn Checotah. The town fears an attack to-night and the citizens are armed. Alex Evans and Eugene Newton were captured to-day and taken away by the Snake band. It is feared that if relief does not come from federal troops Checotah will be burned. Marshal Bennett says he will lead a band of fifty deputies against the Snake party if troops are not sent soon.

News was brought in to-day of the killing of Dick King, a full-blooded Creek, because of his refusal to join the marauders. A runner from the scene of the uprising, who reached Checotah to-day, says the members of the band are increasing in numbers, and that the five tribes are well represented, there being members of the Choctaw, Chickasaw, Cherokee and Seminole tribes with the Creek band. Three full-bloods were taken away to-day, and those full-bloods who attempt to leave their homes and not take part in the uprising are regarded as traitors. The Snake band are forced to return. The friendly Indians are in a quandary. They claim that the Checotah people have taken away the full-bloods, and that of the United States marshal is taken away by the Snake band. One of the worst features of the uprising is the destruction of allotment certificates which have been issued to the full-bloods by the Dawes commission. Every full-blood known to have taken out allotment papers is visited by the light horsemen and whipped, or his certificate destroyed. Little or no harm has been done to the whites, the enemy of the band being directed principally against the bands who follow the federal policy of the United States government.

**Choctaws Are on a Rampage.**  
SOUTH MALESTER, I. T., Jan. 23.—About two hundred full-blooded Choctaw Indians camped ten miles north of here, held a meeting yesterday and passed resolutions deposing Governor Dukes and then elected a full-blooded Indian named Daniel Bell, Governor. They also elected new officers for Gaines county and deposed the old ones. They have taken out a message to Governor Dukes that they have taken the government of the Choctaw nation from him and that he is to be deposed. The band are said to be well armed and very ugly. Troops are needed badly.

## REFERRED TO GENERAL LEE.

**He Has Authority to Send Troops if They Are Needed.**  
WASHINGTON, Jan. 23.—The commissioner of Indian affairs has received a dispatch from Indian Agent Shoeneft, of Muskogee, I. T., advising him of the serious trouble among the Creeks and urging immediate assistance to quell the outbreak. The agent says that the disaffected element of the Creek nation, who have established a government and elected officers. Three light horsemen have murdered one man, whipped and intimidated others, and have issued warrants for arrests of other Creek Indians who have accepted allotments. The Indians are heavily armed and the agent says that the disaffected element is taking action to force the government to recognize them. He requests that a troop of cavalry be sent from Fort Selden to Muskogee. The telegram has been forwarded to the secretary of war, with the request that troops be dispatched to the scene of trouble.

The War Department telegraphed General Fitzhugh Lee, commander of the Department of Missouri, at Omaha, authorizing him to act in his own discretion in the matter of sending troops.

**Cavalry Troop Ordered Out.**  
OMAHA, Jan. 23.—Gen. Fitzhugh Lee, commanding the Department of the Missouri, has ordered out a cavalry troop of the Eighth Cavalry, at Fort Reno, O. T., to proceed at once to the scene of the Indian trouble at Muskogee, I. T. General Lee said that beyond the press dispatches he had no information as to the extent of the trouble.

**Neely Will Sail on Saturday.**

NEW YORK, Jan. 23.—Charles F. W. Neely, who is charged with embezzling the funds of the Cuban postoffice, will sail for Havana to-day for trial by a Cuban court, to stand trial for his alleged crime. The warrant for Neely's extradition was received to-day from the secretary of State.

## BOTH HOUSES BUSY

**THE INDIANA LEGISLATORS ARE NOW HARD AT WORK.**

**Prompt Action Is Being Taken by the Committees of the House and Senate.**

**ANOTHER FLOOD OF BILLS.**

**BOTH BRANCHES OF THE LEGISLATURE DELUGED WITH THEM.**

**Resolutions Adopted on the Death of the Queen—Committee Reports and Routine.**

Both Senate and House held half-day sessions yesterday. Considerable business was dispatched in both bodies. In the House number of bills were introduced and many committee reports were heard. There were two reports from the committee on affairs of the city of Indianapolis, Mr. Morgan making the minority report. The matter will come up for discussion a week from to-day.

Party lines were drawn in the House again yesterday, when Representative Jackson introduced a measure affecting the number of wards and their boundaries in the town of Waterloo. The Republicans secured a majority of the measure, and when Mr. Jackson asked to have the bill passed at once, the measure was voted down. Mr. Jackson insists that there is no politics behind the measure.

The fact that the Senate judiciary committee did not report yesterday on Mr. Benham's House bill increasing the number of employees of the House of Representatives, was considered an expression of intention of reporting unfavorably on the bill, and this belief obtained among the members of the House all day, but at a meeting of the committee, held yesterday evening, it was definitely decided to stick by the former decision, and an unfavorable report will be made on the bill this morning. The decision of the judiciary committee places Speaker Artman in a rather embarrassing position, as the House will either have to pass without the desired help or propose for it a mere resolution, the introduction of which Mr. Artman has declared he will hold out of order.

The Senate committee on fees and salaries voted to indefinitely postpone the bill prepared by the State Fee and Salary Commission giving County Councils power to specify the number of days in the year that assessors and surveyors shall work, which effectively kills it. The special committee appointed to look into the Vincennes University claim made its report, but no action was taken thereon, except to order 600 copies of the report printed.

## IN THE SENATE.

**Queen Victoria's Death Deplored—The New Federal Building.**

The session of the Senate was again opened yesterday morning with prayer by Rev. Mr. Carruthers, of the House of Representatives. The reading of the House of Representatives was dispensed with and Senator Barlow, obtaining recognition, offered the resolution relative to the death of Queen Victoria:

"Resolved, That the death of her Royal and Imperial Majesty Victoria, of noble virtues and great renown, is sincerely deplored by the Senate of Indiana."

The resolution was adopted. The next order of business was bills on second reading. Senate bill No. 60, which seeks to legalize the incorporation of the town of Huron, Lawrence county, was called up by Senator Brooks and advanced to its third reading. The bill of Senator Parks, No. 49, raising the bonds of county recorders from \$2,000 to \$4,000 and the bill of Senator Wood (No. 57) making it a felony for one to give a fraudulent return of property for taxation to obtain credit were also advanced to third reading.

Under the head of remonstrances and petitions Senator Harrison presented a memorial signed by the veterans of the Grand Army of Shelbyville protesting against the resolution for the removal of the battle flags of Indiana regiments that fought under General Grant to the tomb of Grant at Riverside, New York. The resolution was referred to the committee on military affairs.

The committee on agriculture, of which Senator Barlow is chairman, made a report favoring the passage of the bill introduced by Senator Guthrie, which provides for the abolition of the Indiana live stock sanitary commission and places the appointment of the state veterinarian in the hands of the Governor, who, with the auditor and treasurer of state, shall board, shall fix his compensation, which is limited to not more than \$1,500 per year. The committee on fees and salaries reported favorably on the bill providing that circuit judges whose districts comprise more than one county shall receive reimbursement for their expenses incurred while they are holding court in other than their home counties, but a bill was amended to include superior judges. The committee was divided in its report on the bill, but the majority report was adopted without discussion. The bill which provides that county councils shall have the power to declare the number of days county assessors and county recorders shall serve was reported unfavorably.

Sensor Gochenour, chairman of the committee on mileage, recommended that the mileage of Senator Garrison be paid before the session, amounting to 180 miles, be allowed to his widow and that Senator Fleming be allowed 22 miles.

A resolution offered by Senator Brooks asking that the Legislature request the Indiana representative in Congress to oppose against any additional appropriation for the federal building to be constructed in this city was on motion made a special order for discussion for 11 o'clock tomorrow forenoon. The resolution was as follows:

"Whereas, Such building can be constructed without any additional appropriation if the material therefor shall be selected from the extensive and justly celebrated granite of this great State, whose products are of ornament and durability in all parts of the country, and of which this magnificent capital building is one, and

"Whereas, It would be an unusual and unnecessary expenditure of the funds of the State to go to others for such material or labor to be used in such building."

The Indiana representatives at Washington were therefore asked to vote against the bill.

A number of bills were introduced and the Senate adjourned until 10 o'clock this morning.

**LOWER HOUSE'S SESSION.**

**New Bills Introduced and Reports of Committees.**

A considerable part of yesterday's session of the House was devoted to the reading of reports from committees. The sharpest argument of the forenoon was over the report of the committee on county and township business. This committee among other matters had taken up Mr. Dirksen's note for taxation, making them non-collectible unless listed. There were two reports on the bill, the majority reporting against it. The minority was for it. The majority report was adopted by a vote of forty-six to forty-two. The Democrats

stood solidly for the minority report and Speaker Artman voted with them. Among the other committees reporting was the one on rights and privileges. It recommended that Mr. Benham's bill giving persons the right to peddle without a license, be indefinitely postponed. The House committee on the report of the

Among the first of the bills to be introduced yesterday morning was one by Mr. Louttit, of Allen county, relating to the fares to be charged by railroad companies. The bill provides for a fare of two cents a mile on all roads whose annual earnings are less than \$4,000 a mile, or more. On railroads where the earnings are less than \$4,000 a mile, a fare of two and a half cents a mile may be charged.

**A UNIQUE FEATURE.**  
Representative Trout introduced a bill that has a rather unique feature. It is designed to benefit those litigants who are too poor to appeal from lower courts. Under this bill where a poor man is defeated in a civil suit and has not the funds with which to file an appeal bond or to take his case higher, he may lie in jail and his case will be taken up the same as if he was provided with an appeal bond.

Trout's bill is for the benefit of those who furnish material for ditches and for those who perform the labor. The bill gives the laborer and the one who furnishes material the contractor the right to take a lien on the land where the work is done and if the contractor does not pay his bill the land-owner or person who is obliged to furnish the material may collect their bills. The measure provides that municipalities and junior lienholders be paid for before the contractor is finally paid.

Senator Horneford's bill fixes the salaries of judges at the State Supreme Court at \$30 a month. Mr. Horneford has discovered that the present law provides that they shall not receive more than \$50 a month but does not prevent their being paid less. Horneford is of opinion that none of the judges now employed at regular work in the building are receiving as much as \$50 a month.

Representative Jackson attempted to represent through the House a proposition for changes in the ward boundaries of the town of Waterloo. It was sought to get the anti-trust laws in the bill, which are suspicious of a trap and voted against it.